

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RESEA PROJECT APS

Plaintiff,

V.

RESTORING INTEGRITY TO THE OCEANS, INC. and KIERAN KELLY

Defendants.

Civil Action 5:21-cv-01132-JKP-HJB

AGREED ORDER ON EXPEDITED DISCOVERY


On January 28, 2022, the Court held a hearing on the Emergency Motion for Temporary Restraining Order, Preliminary Injunction, Expedited Discovery, and Protective Order (ECF No. 16) (the “Emergency Motion”) filed by Plaintiff ReSea Project ApS (“ReSea Project”). At the hearing, ReSea Project and Defendants, Restoring Integrity to the Oceans, Inc. (“RIO”) and Kieran Kelly, agreed to a framework for expedited discovery, tailored to the issues raised and relief requested in the Emergency Motion. This Agreed Order memorializes that agreement, as set forth below:

- The Parties AGREE to, and the Court GRANTS, an expedited discovery period of sixty (60) days from the date of the entry of this Agreed Order, after which the Court will reconvene the Parties for a hearing on the merits of ReSea Project's request for a preliminary injunction;
- The Parties AGREE and the Court ORDERS that the Parties shall answer, object, or otherwise respond to Requests for Admission and Interrogatories within fourteen (14) days of this Agreed Order;
- The Parties AGREE and the Court ORDERS that the Parties shall answer, object, or otherwise respond to Requests for Production and make an initial production within twenty-one (21) of this Agreed Order;

- The Parties AGREE and the Court ORDERS that, after making an initial production, the Parties shall produce documents on a rolling basis, with a substantial completion deadline for document productions being forty-five (45) days after entry of this Agreed Order;
- The Parties AGREE and the Court ORDERS that each side may take up to two depositions for up to a total of two hours;
- The Parties AGREE and the Court ORDERS that, pending a ruling on Plaintiff's request for preliminary injunction, Defendants shall not, directly or indirectly, make any statements to the public or with any third-party regarding Plaintiff—except that Defendants, with notice to Plaintiff, may respond (to the extent required) to formal compulsory legal process from governmental entities or, in a jurisdiction that lacks due process protections, Defendants shall immediately notify Plaintiff of any governmental outreach, and the Parties shall jointly contact the Court for guidance;
- To facilitate discovery, the Parties AGREE and consent to the entry of the proposed Confidentiality and Protective Order accompanying ReSea Project's Emergency Motion, *see* ECF No. 16-21; and
- Plaintiff agrees to produce, pursuant to the Confidentiality and Protective Order and as part of its initial production, the report resulting from the third-party audit conducted following Defendants' accusations.

IT IS SO ORDERED.

Date: February 4, 2022



Hon. Jason K. Pulliam
United States District Court

AGREED:

/s/ Marc D. Katz

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